

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD

RECEIVED
CENTRAL FAX CENTER

NOV 10 2004

In re PATENT APPLICATION of

Montgomery

Appln. No. 09/991,531

Filed: November 21, 2001

For: Data Gathering in Games of Chance

Group Art Unit: 3713

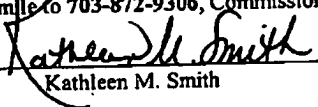
Examiner: M. O'Neill

EXPEDITED PROCEDURE-AFTER FINAL

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via facsimile to 703-872-9306, Commissioner for Patents, Alexandria, VA on November 10, 2004

By


Kathleen M. Smith

NOTICE OF APPEAL

Petition for Extension of Time

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

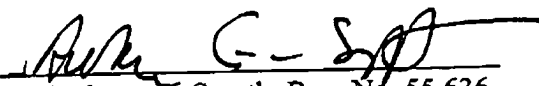
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Rejection mailed June 10, 2004 rejecting Claims 1-31.

Petition is hereby made to extend the original due date to cover the date this Notice of Appeal is filed, from September 10, 2004 to the date hereof. Applicants previously paid for a one-month extension of time in the amount of \$55.00 by authorization to charge deposit account on October 12, 2004.

The Commissioner is authorized to charge the remaining small entity extension fee of \$55.00, and the small entity Notice of Appeal fee of \$170.00, to Deposit Account 50-2213, Order No. 042503-0273332).

Respectfully submitted
PILLSBURY WINTHROP, LLP

By


Anthony G. Smyth, Reg. No. 55,636
for David A. Jakopin Reg. No. 32,995

CUSTOMER NO. 27498
2475 Hanover Street
Palo Alto, CA 94304
650-233-4790